

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SHAWN DONNELL ROBINSON,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent,

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No. 4:22-CV-71 HEA

OPINION, MEMORANDUM AND ORDER

Before the Court is movant’s ninety-day motion for extension of time to file a response to the Court’s Opinion, Memorandum and Order, issued on January 27, 2022, requiring him to show cause why his motion to vacate brought pursuant to 28 U.S.C. § 2255 should not be summarily dismissed as time-barred.

Movant asserts that he needs a ninety-day extension because of a “national lock-down” and because of “covid-modified operations.” Movant asserts that he hasn’t had access to the law library or the education department due to the lockdown.

The Court takes judicial notice that the U.S. Bureau of Prisons placed a lockdown on all federal prisons on January 31, 2022, after two inmates died following a fight. However, the Bureau of Prisons announced on February 24, 2022, that the lockdown had been lifted in all but one prison at that time.

Movant is currently incarcerated at FCI Allenwood Medium in White Deer, Pennsylvania. The federal lockdown has been lifted at FCI Allenwood Medium. Further, as of February 28, 2022, there is only one inmate with Covid-19 at Allenwood Medium, and no staff with any confirmed

cases. *See* <https://www.bop.gov/coronavirus>.¹ Thus, it does not appear that movant needs a full ninety-day extension.

Nonetheless, because movant was in lockdown at the time he received this Court's January 27, 2022 Order, the Court will provide him an additional thirty (30) days to show cause why his motion to vacate should not be dismissed as time-barred.

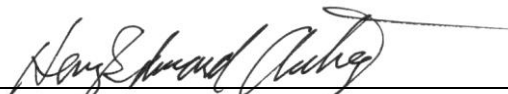
Accordingly,

IT IS HEREBY ORDERED that movant's motion for extension of time to file his response to the Order to Show Cause [ECF No. 3] is **GRANTED IN PART**.

IT IS FURTHER ORDERED that movant shall show cause, in writing, no later than thirty (30) days from the date of this Memorandum and Order, why his motion to vacate brought pursuant to 28 U.S.C. § 2255, should not be dismissed as time-barred.

IT IS FURTHER ORDERED that if movant fails to comply with this Memorandum and Order, his motion to vacate will be dismissed without further proceedings.

Dated this 1st day of March, 2022.


HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE

¹Despite the low Covid-19 numbers, it appears that FCI Allenwood Medium, like almost all other federal prison facilities, is following Level 3 Operations with respect to Covid-19 Inmate Programming and Service Modifications. They have reinstated social visiting, legal access, in person legal visits, commissary, showers three times per week, telephone privileges, sick call, programming, etc.